

**FISCAL YEAR 2005**  
**The Natural Resources Conservation Service's**  
**Civil Rights Performance Plan and Accomplishment Report**

Goal	Performance Objective	Indicators	Outcomes/Scoring
<p><b>1 <u>Commitment of Agency Leadership Strategic Plan Integration:</u></b></p> <p>Incorporate the USDA civil rights policy and other relative requirements through the Agency Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.</p>	<p><b>1.1 <u>Leadership</u></b></p> <p>Hold managers, supervisors and other employees accountable for ensuring that USDA's customers and employees are treated in accordance with USDA's civil rights policy and applicable legal requirements.</p>	<p><b>1.1.1 <u>Inclusion in Strategic Plan</u></b></p> <p>The Agency/Staff Office displays commitment to USDA's civil rights goals and obligations in its Strategic Plan.</p>	<p><b>The Natural Resources Conservation Service (NRCS) Strategic Plan reflects the Chief's commitment to the Department and Agency Civil Rights goals by establishing specific measurable objectives and action items that will assure that all NRCS programs and services are delivered fairly and equitably and will strengthen the conservation delivery system. Action items are developed to ensure that discriminatory aspects do not exist in the delivering or performance of Agency activities. The plan establishes specific outreach goals and objectives to minorities, women, and other traditionally underserved groups.</b></p> <p><b>The NRCS Strategic Plan also includes critical initiatives that will allow NRCS to effectively recruit, manage, and maintain a diverse workforce. In addition, there are actions to strengthen ties with minority serving institutions and community-based organizations to meet the needs of minorities, underserved, and non-traditional customers.</b></p> <p><b>NRCS incorporated into its FY 2005 Agency Business Plan a Civil Rights Goal as follows: "Goal 5: Establish an equal opportunity standard for excellence through a highly skilled workforce which is diverse, at all levels, and ensures a commitment of equal access to NRCS programs and services."</b></p> <p><b>In FY 2005, NRCS established a diverse Strategic Plan Steering Team to guide the revision to the agency strategic plan and to ensure that the plan addresses civil rights in a meaningful way. The Steering</b></p>

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			<p>Team includes eight minority and female members – about three-fourth of the team.</p> <p>The team is also establishing strategic initiatives to assist in outreach to underserved populations, recruitment and outreach to Black, Hispanic and American Indian colleges and universities to enhance the diversity of future workforce and initiatives to increase participation of limited resource and beginning farmers and ranchers. (Note: many producers who are women, minorities, or persons with disabilities meet the criteria of Limited Resource or Beginning Farmer or Rancher.)</p> <p>The Chief of NRCS has established a zero tolerance policy that mandates for all employees, prospective employees, customers, and prospective customers that the Agency provides a positive and professional work environment free from discrimination on the bases of their race, color, national origin, sex, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. Reprisal against anyone who participates in the civil rights complaints process is not tolerated.</p> <p>The Civil Rights Advisory Committees (CRAC) and Special Emphasis Program Managers (SEPM) in each State are provided a budget to implement outreach activities, promote special events, observe special celebrations, recruit, etc.</p>
1 Commitment of Agency	1.1 <u>Leadership</u>	1.1.2 <u>Employees' Performance Plans:</u>	Annual performance appraisals for all SES-level supervisors and managers include an element evaluating them on their compliance

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<b>Leadership Strategic Plan Integration:</b>  Incorporate the USDA civil rights policy and other relative requirements through the Agency Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.	Hold managers, supervisors and other employees accountable for ensuring that USDA's customers and employees are treated in accordance with USDA's civil rights policy and applicable legal requirements.	Performance plans for SES-level officials, managers, supervisors, and other employees include civil rights performance requirements.	<b>and commitment to Civil Rights and Equal Employment Opportunity (EEO).</b>  <b>All NRCS employees have a stand alone Civil Rights performance element which incorporates the Agency's Civil Rights policies and provides the accountability necessary to ensure that customers and employees are treated fairly and equitably. Standards for new employees are put in place within 30 days of entering duty.</b>  <b>All SEPMS and members of CRAC who have Civil Rights as a collateral duty have their position descriptions modified to include Civil Rights collateral assignments. All collateral SEPMS and the CRAC Chairperson in each organizational unit report directly to the Deputy EEO for that unit.</b>
<b>1 Commitment of Agency Leadership</b>	<b>1.1 Leadership</b>  Hold managers,	<b>1.1.3 Disciplinary Actions:</b>  Take appropriate disciplinary	<b>The NRCS Civil Rights Division (CRD) established General Manual 230, Part 402A, "Civil Rights Accountability" that requires appropriate disciplinary and/or corrective actions to be taken against</b>

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<p><b>Strategic Plan Integration:</b></p> <p>Incorporate the USDA civil rights policy and other relative requirements through the Agency Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.</p>	<p>supervisors and other employees accountable for ensuring that USDA's customers and employees are treated in accordance with USDA's civil rights policy and applicable legal requirements.</p>	<p>or corrective action when discriminatory conduct relating to civil rights violations or retaliation occurs.</p>	<p><b>those employees who engage in discriminatory behavior or Civil Rights related misconduct. Managers and supervisors are held accountable for failure to take appropriate action in response to any findings of discrimination, reprisal, Civil Rights violations, or related misconduct. When there is a finding of discrimination or misconduct, procedures are established whereby the Human Resources Division coordinates with the Chief and the appropriate supervisor regarding appropriate punishment for the offender.</b></p> <p><b>The NRCS Employee and Labor Relations Team (EL&amp;RT), Human Resources Management Division (HRMD) performs an accountability analysis on EEO cases referred by the Civil Rights Division that involve a finding of discrimination. The analysis is developed by reviewing the case file and other evidence to generate recommendations for disciplinary or other corrective action to the appropriate management official(s). Also, the EL&amp;RT provides timely response to requests for misconduct investigations from managers, supervisors and the Civil Rights Division, regarding allegations of sexual harassment and hostile work environment. Recommendations for corrective or disciplinary action are included in misconduct investigation reports when allegations of discrimination are substantiated or other Civil Rights violations are identified. The EL&amp;RT provides advice and guidance to managers and supervisors on employee relations cases to include identifying misconduct related to Civil Rights violations or potential violations and providing recommendations for disciplinary or corrective action. All employees' performance standards provide for Civil Rights</b></p>

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			accountability as required under the Agency's Performance Appraisal System which is automatically generated in the Internet Computerized Automated Management System (ICAMS). Position descriptions and performance standards reflect the responsibilities of employees in carrying out Civil Rights compliance requirements.
<p><b>1 Commitment of Agency Leadership Strategic Plan Integration:</b></p> <p>Incorporate the USDA civil rights policy and other relative requirements through the Agency Staff Office operations to ensure that customers and employees are treated in accordance with anti-discrimination laws and regulations.</p>	<p><b>1.1 Leadership</b></p> <p>Hold managers, supervisors and other employees accountable for ensuring that USDA's customers and employees are treated in accordance with USDA's civil rights policy and applicable legal requirements.</p>	<p><b>1.1.4 Civil Rights Impact Analyses:</b></p> <p>Conduct Effective Civil Rights Impact Analysis.</p>	<p>NRCS conducts Civil Rights Impact Analyses (CRIA) of all new and revised Agency programs, charters, and reorganizations to identify adverse implications for minorities, women, or persons with disabilities. In addition, the Chief has directed a member of CRD to be a core member of all task forces engaged in conservation program development and implementation, reorganizations and other major Agency activities.</p> <p>CRIA was conducted for the following NRCS programs and activities during FY 2005:</p> <ul style="list-style-type: none"> <li>• Competitive Sourcing;</li> <li>• The Grassland Reserve Program (GRP);</li> <li>• Conservation Security Program (CSP);</li> <li>• Conservation Innovative Grant (CIG);</li> <li>• Technical Service Provider Final Rule (TSP); and</li> <li>• Confidentiality of Conservation Program Information (CCPI)</li> </ul> <p>As a result of the analyses, program changes were implemented by the Agency to mitigate potential negative impacts of conservation</p>

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			<p>programs and other Agency activities for protected group members.</p> <p><u>For example under CSP:</u></p> <ul style="list-style-type: none"> <li>• Ensured access to NRCS programs for producers having limited resources. Producers will be allowed to qualify and participate at all three-tier levels of CSP.</li> <li>• NRCS is implementing provisions that would elevate limited resource farmers or ranchers to the highest part of each enrollment category for funding.</li> <li>• Beginning agricultural producers will be eligible for up to 90 percent of the cost of conservation practices as compared to up to 75 percent for other agricultural producers.</li> </ul> <p><u>For all cost- share programs:</u></p> <ul style="list-style-type: none"> <li>• The “buy down” practice where a producer could accept lower percentages of cost share and thus be awarded additional points and gain an advantage in the application approval process is disallowed. This practice favored the larger more affluent producers.</li> <li>• Completed and published a Civil Rights Impact Analysis (CRIA) in conjunction with the publication of the</li> </ul>

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			<p>Conservation Innovation Grants (CIG) final rule. The CIG CRIA found no evidence that the program would have adverse impacts on minorities, women, or persons with disabilities, and it contains recommendations for outreach activities to ensure the participation of these protected groups.</p> <ul style="list-style-type: none"> <li>Created teams to construct Civil Rights analyses for CSP and GRP, working closely with CRD.</li> <li>NRCS Civil Rights Impact Analyses continued to be the model for other agency rulemaking.</li> </ul> <p>NRCS has incorporated in the Agency's General Manual that all Federally conducted and Federally assisted programs be accessible equally to all individuals regardless of their national origin or their ability to speak and understand the English language, or their disability status in compliance with Sections 504 and 508.</p> <p>Communication strategies are implemented through outreach efforts to underserved communities. This includes contracting interpreted services, producing multi-language informational brochures and videos, and establishing new programs. NRCS liaisons are positioned throughout the Agency to address and distribute information to local media resources in various languages, brochures, and videos.</p> <p><u>NRCS recognized the multilingual and multicultural needs of its customers by providing interpretive services, producing communications materials, such as multilingual publications, specifically targeted to</u></p>

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			<p><u>reach underserved Limited English Proficiency groups. For example:</u></p> <ul style="list-style-type: none"> <li>• NRCS updated its Web site to ensure that information on NRCS programs, resources, and technologies are accessible in Spanish (en Espanola) and comply with Section 508 requirements.</li> <li>• The Outreach Division is developing an Agency-wide policy that mirrors Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)." The Division has developed an Agency fact sheet and brochure on LEP.</li> <li>• The Human Resources Division (HRD) translated recruitment brochures and recruitment posters into Spanish for job fairs, colleges and universities with strong agricultural programs and diverse student populations. HRD prepared recruitment materials in Braille, large print and on cassette tapes, for people with disabilities.</li> <li>• General Manual 230, Part 405 provides policy guidance for implementing LEP requirements throughout the Agency.</li> <li>• The Deputy Chief for Programs updated the Spanish Farm and Ranch Lands Protection Program (FRPP) fact sheet to meet the needs of our Spanish speaking clients.</li> <li>• Twelve news releases were distributed to field offices on USDA</li> </ul>

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			<p>programs. Each news release was translated into Spanish and distributed to the Hispanic media markets.</p> <ul style="list-style-type: none"> <li>• <b>Georgia NRCS targets Hispanics:</b> Three informational sessions were offered and provided entirely in Spanish for the second-time ever at an informational workshop.</li> <li>• <b>An Asian American/Pacific Islander NRCS District Conservationist from Indiana</b> traveled to Arkansas to assist the Arkansas NRCS staff conduct informational meetings to discuss the benefits of the Environmental Quality Incentives Program (EQIP) for a group of over 300 Laotians and other farmers of Asian descent.</li> <li>• <b>Fresno/Central Valley NRCS staff members</b> host a weekly conservation awareness and question and answer radio program in Cambodian, Laotian and Hmong languages that reaches approximately 10,000 listeners. Total target population in the area is close to 45, 000. Call-in responses often result in future community projects and individual conservation planning.</li> <li>• <b>“Conservation Programs in Your Watershed,”</b> a campaign developed by California NRCS, described all programs and technical assistance offered by our Agency; publications were translated into Spanish and Hmong and distributed Statewide (as well as requested by other States).</li> </ul>

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			<ul style="list-style-type: none"> <li>• Montana NRCS has completed a limit English Proficiency survey to determine levels of English proficiency that may impact potentially eligible clients on American Indian reservations and with the Hmong community in Missoula.</li> <li>• The NRCS in Connecticut, in cooperation with the University of Connecticut, has published "Pilot Project Report." The report covers Educational Needs Assessment of Non-English speaking Agricultural Workers in Connecticut. Workshops were conducted to encourage participation by limited resource and non-English speaking persons in agency programs.</li> <li>• The Caribbean Area NRCS translated its web page into Spanish and information for CSP to facilitate participation of Hispanic minorities. Translated documents are shared with other States with large Hispanic populations.</li> <li>• The Pacific Basin NRCS is increasing its outreach to Chinese farmers via interpreter service and translation of conservation materials into Madarin.</li> <li>• Idaho NRCS produced a video for Hispanic cooperators and Hispanic irrigators on proper pesticide use.</li> <li>• Kentucky NRCS is working with the Catholic Diocese of Lexington, Kentucky to have information relating to</li> </ul>

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			<p>conservation conferences and programs translated into Spanish for an increasing Hispanic population that are farm workers.</p> <ul style="list-style-type: none"> <li>The NRCS office in Culpepper, Virginia and the Soil and Water Conservation District (SWCD) produced a Spanish language video discussing USDA agencies and their programs that was broadcasted on an Hispanic cable station.</li> <li>Pennsylvania NRCS translated a CREP plan into Spanish so an Hispanic owner operator could use the plan effectively.</li> </ul>
<p>2. <b><u>Program Delivery: Proactive Management and Legal Compliance:</u></b></p> <p>Ensure all customers equal opportunity to access programs, activities, and services, and nondiscrimination in the delivery of USDA programs and services.</p>	<p>2.1 <b><u>Program Delivery Legal Compliance:</u></b></p> <p>Deliver Agency programs in compliance with civil rights laws, Departmental regulations, policy and goals.</p>	<p>2.1.1 <b><u>Implementation of Regulatory Requirements:</u></b></p> <p>Review and incorporate civil rights requirements (collect and analyze applicant/participant data, implement Section 508 requirements, ensure the provision of Auxiliary Aids for customers with disabilities) into Agency's standard operating procedures.</p>	<p>NRCS has set a performance goal that by FY 2008, 467,000 members of minority, underserved, and nontraditional groups will receive NRCS conservation assistance annually to help them plan and apply conservation on their lands and the lands that they manage.</p> <p><b>By 2008, 150,000 women who are primary operators of an agricultural operation will receive technical assistance in planning or applying conservation on their operations.</b></p> <p><b>NRCS supported its National Civil Rights Committee by providing professional staff as a National Strategic Planning Liaison to provide parity and program participation reports. These reports help the Committee assess agency program delivery and outreach to minorities and women.</b></p> <p><b>NRCS staff developed, deployed and provided technical support in</b></p>

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			<p>the Integrated Accountability System data and information aggregating and monitoring civil rights in program and conservation participation through the agency performance reporting system.</p> <p>NRCS engages in data collection to analyze the actual or potential impacts its programs may have on women, minorities, and persons with disabilities. Conclusions drawn from various analyses enable program managers to provide targeted outreach efforts in an attempt to mitigate any adverse impacts.</p> <p>Overall Program Participation Rates for Eligible Producers are:</p> <ul style="list-style-type: none"> <li>➤ 14% White Male Producers</li> <li>➤ 12% Black Producers</li> <li>➤ 10% Hispanic Producers</li> <li>➤ 12% Asian Pacific Islander Producers</li> <li>➤ 16% American Indian Producers</li> <li>➤ 16% Female Producers</li> </ul> <p>Females and American Indian producers received services from NRCS at rates exceeding the rate of service provided to White males (14 percent). NRCS provided services to 16 percent of eligible American Indian producers, 12 percent of eligible Asian American/Pacific Islander producers, 12 percent of eligible Black producers, 10 percent of eligible Hispanic producers, and 16 percent of eligible female producers. There is no disparity in the services rendered by NRCS to White males as compared to females and all</p>

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			<p>minority groups. Parity is achieved when services provided by NRCS to a protected group is at a rate of 10 percent or less of the rate of services provided to White males.</p> <p><b><u>Application Approval Rates for NRCS Cost Share Payments</u></b></p> <ul style="list-style-type: none"> <li>➤ 45% White Male Applicants</li> <li>➤ 47% Black Applicants</li> <li>➤ 55% Hispanic Applicants</li> <li>➤ 55% Asian Applicants</li> <li>➤ 61% Hawaiian/PI Applicants</li> <li>➤ 62% American Indian Applicants</li> <li>➤ 46% Female Applicants</li> </ul> <p>The application approval rates for cost share payments for all protected group producers exceeded the application approval rate for White male producers (45 percent).</p> <p>Revisions to NRCS' conservation programs including an increase of cost share payments from a maximum of 75 percent to up to 90 percent of contract cost for limited resource farmers increased minority producers' ability to participate.</p> <p><b><u>To remove barriers to participation for underserved groups to achieve NRCS established performance goals, NRCS has increased program flexibility and sought new authorities to allow innovative strategies using existing authorities to reach historically underserved landowners and land managers. For example,</u></b></p>

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			<ul style="list-style-type: none"> <li>• NRCS drafted a revised Emergency Watershed Program (EWP) rule (currently routed for approval) to include a provision to provide up to 90 percent financial assistance for limited resource (income) areas/clients. Limited resource areas are based upon U.S. Census information and identified by county. The proposed revision will allow State Conservationist's to make "local" determinations for communities in counties not listed as limited resource areas.</li> <li>• Drafted a new EWP Manual (currently, Part 509 of the National Watershed Manual is the policy for the EWP program). The draft document reflects the cost-share rate change--to provide up to 90 percent Federal cost-share for limited resource areas. EWP training workshops are being developed which will include the revisions regarding the cost-share rate for limited resource areas.</li> <li>• CRD and the Deputy for Programs staff members reviewed EQIP and CSP National policy guidance to determine if any negative impact, barriers, and/or other obstacles exist that may discourage limited resource and/or minority farmers from participating in these programs. Currently, beginning and limited resource farmers can receive up to 90 percent cost-share rates for the installation of conservation practices through EQIP. (The maximum cost-share rate for other</li> </ul>

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			<p>producers is 75 percent.) Under CSP, limited resource farmers were elevated to the highest subcategory.</p> <ul style="list-style-type: none"> <li>• The Deputy for Programs staff provided leadership in implementing and utilizing the “Regional Equity” provision of the 2002 Farm Bill in order to maximize benefits for small and limited resource farmers.</li> <li>• The Deputy for Programs staff provided leadership to limit maximum EQIP cost-share rates to make more funds available for small and limited resource farmers.</li> <li>• NRCS issued National guidance to ensure that the EQIP ranking process will not give preferential treatment to applications based on the size of the operation. The guidance stated: “The ranking criteria will be size and class neutral and (the State Conservationists) will avoid criteria that may cause a bias for or against any individual group or size of operation.”</li> <li>• NRCS devised a strategy to successfully allocate approximately \$50 million of EQIP funds to address the conservation needs of limited resource farmers and ranchers. More than 1700 EQIP contracts, covering over 1.7 million acres, were signed with limited resource farmers and ranchers in FY-03. Seventy-three percent of applications submitted by</li> </ul>

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			<p>limited resource farmers and ranchers were approved. (The overall EQIP application approval rate was twenty-nine percent.)</p> <ul style="list-style-type: none"> <li>• NRCS implemented the new Conservation Innovative Grants (CIG) program -- targeting 10 percent (\$1.5 million) of the \$15 million in funding for limited resource farmers, ranchers and Indian Tribes. The purpose of the program is to stimulate the development and adoption of innovative technologies and approaches in conjunction with agricultural production. Grants are up to 50 percent of the total project cost. An exception allows for beginning and limited resource farmers and ranchers, tribes, and community-based organizations representing these groups to derive up to 75 percent of their CIG project matching funds from in-kind contributions.</li> <li>• The Chief established a diverse nationwide team to provide policy recommendations on improving the EQIP to more effectively distribute \$1 billion in EQIP funding in FY-05. Special emphasis on the needs of female, minority, and limited resource farmers has been included in the charge to the team.</li> <li>• The EQIP statutory language focuses on providing contracts and payment on private lands to individuals or entities. The language in the statute limits EQIP payment to \$450,000 through fiscal year 2007. These provisions are barriers to</li> </ul>

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			<p>participation of tribal members. NRCS has proposed legislative changes that would correct these problems and accommodate tribal participation in EQIP. The proposals would expressly permit alternative funding arrangements with tribes, outside of the standard practice of entering into separate contracts with individual producers or entities. The changes would also exempt tribal governments from the payment limitation. These changes are appropriate steps toward increasing the availability of USDA programs and services to Native Americans.</p> <p>All NRCS Web pages are currently being reviewed for 508 Compliance deficiencies. Also, 508 Compliance was included in Web Authors Training which was provided by the ITD Web Presence Team to NRCS Web Masters and Web Authors at the NHQ and State level June 2005.</p> <p>NRCS allocated resources to ensure the following 508-compliant Web-based products provided technical assistance to limited resource farmers: PLANTS Web site, especially the Alternative Crops module.</p>
<b>2. <u>Program Delivery: Proactive Management and Legal Compliance:</u></b>	<b>2.1 <u>Program Delivery Legal Compliance:</u></b>  Deliver Agency programs in compliance with civil rights laws,	<b>2.1.2 <u>Compliance Reviews/ Corrective Actions:</u></b>  Conduct compliance reviews of Federally-assisted and conducted programs in	<b>During fiscal year (FY) 2005, CRD conducted Federally assisted and Federally conducted compliance reviews in 10 States to assess NRCS' compliance with EEO laws and regulations regarding the Agency's delivery of Federally assisted and Federally conducted programs. The States were West Virginia, Arizona, Maryland, South Dakota, New Jersey, Virginia, Delaware, Florida, Nebraska, and the Pacific</b>

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<p>Ensure all customers equal opportunity to access programs, activities, and services, and nondiscrimination in the delivery of USDA programs and services.</p>	<p>Departmental regulations, policy and goals.</p>	<p>accordance with Departmental Regulations, and other guidance.</p>	<p><b>Basin/Hawaii.</b></p> <p><b>In addition, NRCS State offices conducted 476 Federally assisted and Federally conducted Civil Rights compliance reviews of NRCS and Recipients field offices and facilities during FY 2005.</b></p> <p><b>The NRCS Outreach Division (OD) is conducting quarterly national outreach quality assurance reviews, along with providing states with review guidelines.</b></p> <p><b>The OD participated with the agency's Civil Rights Division on a coordinated-effort in conducting outreach quality assurance reviews in Massachusetts, South Dakota, Florida, New Jersey, West Virginia, Maryland, Virginia and Arizona.</b></p> <p><b>Corrective action plans to correct violations resulting from these reviews are provided to CRD during the National Headquarters (NHQ) conducted State compliance reviews. Updates are submitted every 90 days until all noncompliance items are corrected. Corrective action plans are monitored by CRD and the States to ensure that deficiencies are corrected and complied with within a timely manner. Many non-compliance items are corrected on-site. In FY 2005, CRD has received corrective action plans from all 10 States reviewed that included 176 items to be corrected. Eighty-five percent of the deficiencies have been corrected as of August 4, 2005. Civil Rights compliance review reports and corrective actions summaries are provided to the Chief, NRCS and the Director, OCR at the end of the</b></p>

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			<p>fiscal year.</p> <p>The Agency began implementing preliminary report recommendations to assist RC&amp;D councils to better understand the importance of the consultation process and to work more effectively with Indian Tribes and Alaska Natives. This included the incorporation of the deliverables in the FY 2005 National Association of RC&amp;D Councils cooperative agreement to increase outreach to Indian Tribes and facilitate training sessions with councils on listening and working effectively with tribes. (Preliminary findings of the national Resource Conservation and Development (RC&amp;D) program evaluation completed in fiscal year 2005 identified the need to increase participation with Indian tribes through the RC&amp;D program.)</p>
<p>2. <b><u>Program Delivery: Proactive Management and Legal Compliance:</u></b></p> <p>Ensure all customers equal opportunity to access programs, activities, and services, and nondiscrimination in the delivery of</p>	<p>2.2 <b><u>Efficient Program Complaint Process:</u></b></p> <p>Maintain an effective process for handling civil rights program complaints.</p>	<p>2.2.1 <b><u>Complaint Findings Corrective Actions:</u></b></p> <p>When applicable, promptly implement preventative and corrective actions resulting from complaints findings and analysis of trends in complaints.</p>	<p>A zero tolerance policy combined with clear performance expectations and substantive training and awareness tools have effectively deterred discriminatory conduct within the Agency</p> <p><b>There has been no finding of discrimination or evidence of Civil Rights violations related to program delivery for the fiscal year.</b></p> <p><b>Conciliation agreements are monitored for implementation within the required timeframe. Once the implementation is complete and the complainant is notified a letter is provided to the responsible agency closing the case. For FY 2005, there was no conciliation agreement entered into.</b></p> <p><b>Quarterly reports are generated and analyzed identifying patterns of possible discriminatory actions in each State. If a pattern is identified</b></p>

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USDA programs and services.			and there is an appearance of discrimination, a meeting is conducted that may result in an investigation, compliance review and/or discussion with State officials to review and provide corrective measures to ensure fair and equitable treatment.
<p><b>2. Program Delivery: <u>Proactive Management and Legal Compliance:</u></b></p> <p>Ensure all customers equal opportunity to access programs, activities, and services, and nondiscrimination in the delivery of USDA programs and services.</p>	<p><b>2.3 <u>Improve Service to Underserved Populations:</u></b></p> <p>Maintain an effective process for handling civil rights program complaints.</p>	<p><b>2.3.1 <u>Identify Priorities, Establish Goals, Create Mechanisms to Improve and Increase Service to Underserved Populations:</u></b></p> <ul style="list-style-type: none"> <li>• Ensure that no policies, procedures, or practices inherently preclude qualified applicants, recipients, and/or beneficiaries.</li> <li>• Create or enhance service delivery to under represented</li> </ul>	<p>NRCS States, the Caribbean and Pacific Basins, and Divisions are increasing program flexibilities to allow innovative strategies using existing authorities to reach historically underserved landowners and land managers. <i>To illustrate:</i></p> <ul style="list-style-type: none"> <li>• NRCS released a national bulletin that provides guidance for working with Tribes and Alaska Natives on EQIP payment limitation requirements. The change being implemented is in response to language on this subject in the FY 2005 Omnibus Appropriation Act. This bulletin provides guidance on establishing records in the Service Center Information System for American Indians represented by the Bureau of Indian Affairs and Indian Tribal Ventures.</li> <li>• Facilitated an EQIP policy change that enables greater participation by Alaska Natives. Worked with the State Conservationist in Alaska to amend the state policy for</li> </ul>

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		groups.	<p>subsistence farming to include “native plant species, moose, caribou, deer, elk, salmon, and whitefish harvested/produced by individuals.”</p> <ul style="list-style-type: none"> <li>Facilitated an EQIP manual clarification that enables Tribal lands undergoing trust adjustments to be considered irrigated in the “2 of 5 year requirement,” consistent with Farm Service Agency policy on “planted and considered planted” acreage. The revised EQIP guidance expanded the list of documentations allowable to verify the irrigation time requirement.</li> <li>Worked with the Bureau of Indian Affairs in updating the Indian reservations and Tribal Trust Land information so current information can be used to allocate funds for conservation programs.</li> <li>Provided the guidance and oversight to eliminate barriers and or obstacles that would prevent underserved groups and Limited Resource and Beginning Farmers and Ranchers from participating in programs including EQIP, CTA, and Grazing Lands Conservation Initiative (GLCI).</li> <li>Updated the Tribal acreage used in the EQIP funding allocation formula to reflect the latest changes in Tribal land acres to help address and serve the natural resource concerns</li> </ul>

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			<p>of Tribes.</p> <ul style="list-style-type: none"> <li>• NRCS in Alaska responded to the resource concerns of Alaska Natives by approving new EQIP eligibility criteria for fiscal year 2005. These criteria allow Alaska Native subsistence farmers to qualify as Limited Resource Producers under EQIP.</li> <li>• The 2002 Farm Bill statutory language for EQIP focuses on providing contracts and payments on private lands to individuals and entities. The language in the statute limits EQIP payments to \$450,000 per individual or entity through FY 2007. These provisions created barriers to participation for Tribal members. NRCS subsequently proposed a legislative amendment that would correct the problems and reduce barriers to Tribal participation in EQIP. The amendment was designed to permit alternative funding arrangements with Tribes outside of the standard practice of entering into separate contracts with individual producers or entities. The proposed amendment included additional language that would exempt Tribal governments from the payment limitation. The proposed amendment was authorized by Congress in 2005 appropriations language. NRCS subsequently issued new national EQIP guidance to incorporate the statutory change into the program policy and improve Tribal participation in EQIP.</li> </ul>

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			<ul style="list-style-type: none"> <li>• NRCS provided national guidance to states regarding Tribal participation in EQIP to ensure fair and equitable program participation opportunities and that priority resource concerns on Tribal lands are properly addressed.</li> <li>• Florida established EQIP allocations for the identified Native American Tribes in Florida. The money is used to fund EQIP applications filed within designated counties.</li> <li>• South Dakota, Utah, Arizona, Idaho, and New Mexico provided special funding pools under EQIP for Native Americans to ensure equitable program participation opportunities.</li> <li>• NRCS is developing a new EQIP ranking tool to help ensure that all requirements of the EQIP rule are implemented to ensure fair and equitable treatment of all applicants.</li> <li>• Developed conservation enhancement activities for use in CSP that are low-input and low-cost so that small scale farms and ranches are better able to benefit from the program.</li> <li>• Published an amendment to the CSP Interim Final Rule in the Federal Register and implemented provisions of the rule to mitigate potential negative impacts of conservation programs and other Agency activities for protected group members.</li> </ul>

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			<ul style="list-style-type: none"> <li>○ The amendment contains provisions that: <ul style="list-style-type: none"> <li>▪ Helps ensure access to NRCS programs for Limited Resource Producers by allowing producers to qualify and participate at all three-tier levels of CSP.</li> <li>▪ Elevates Limited Resource Farmers or Ranchers to the highest part of each enrollment category for funding.</li> <li>▪ Makes Beginning Agriculture Producers eligible for up to 65 percent of the cost of conservation practices as compared to up to 50 percent for other agricultural producers.</li> </ul> </li> </ul> <p>(Note: many producers who are women, minorities, or persons with disabilities meet the criteria of Limited Resource or Beginning Farmer or Rancher.)</p> <ul style="list-style-type: none"> <li>• Worked with the NRCS Tribal Relations Coordinator to assist States in overcoming obstacles for tribes and tribal members to participate in the CSP in several States including Wisconsin, Oregon, and Idaho.</li> <li>• Issued national guidance to ensure that the CSP watershed selection process would include criteria for States to consider participation potential of Limited Resource Farmers and Ranchers.</li> </ul>

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			<ul style="list-style-type: none"> <li>• <b>Modified NRCS policy in order that agricultural operations that produce specialty crops and horticultural products are eligible for the CSP program. This policy decision will help to ensure access to NRCS programs for producers with low input operations, and producers who grow locally significant produce, including ginseng, cranberries, and sugar maple.</b></li> <li>• <b>Provided leadership in developing and implementing the new CSP manual which contains provisions that allow the NRCS Chief to invoke special provisions to maximize participation and benefits for Tribes and Limited Resource Farmers.</b></li> <li>• <b>Provided National CSP training at five locations throughout the country and ensured that a diverse cadre of training instructors was selected so that the technical needs of all farmers and ranchers, including Tribes, Limited Resource Farmers and Beginning Farmers and Ranchers could be addressed at the sessions.</b></li> <li>• <b>Published a final rule for the Conservation Innovation Grant (CIG) Program, a component of EQIP. The rule sets aside up to 10 percent of the annual available funding for projects benefiting Limited Resource Farmers, Ranchers, and Indian Tribes. The purpose of the program is to stimulate the development and adoption of innovative technologies and</b></li> </ul>

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			<p>approaches in conjunction with agricultural production. Grants are up to 50 percent of the total project cost. An exception allows for Beginning and Limited Resource Farmers and Ranchers, Tribes, and community-based organizations representing these groups to derive up to 75 percent of their CIG project matching funds from in-kind contributions. (Note: The FY 2005 CIG awards have not been announced as of early July.)</p> <ul style="list-style-type: none"> <li>• Implemented a pilot of the State component of CIG in FY 2005. Twelve states plus the Pacific Basin area set aside a portion of their EQIP allocation for a CIG State competition. Ten of the thirteen pilot competitions included special provisions for Limited Resource and Beginning Farmers, and Tribes.</li> <li>• Provided technical expertise to ensure that the Conservation Technical Assistance Program Handbook provided specifically scaled technical assistance for underserved, minority, and small farmers/producers.</li> <li>• Provides resources to develop a "Small Farm Technology Initiative" to insure that technical requirements for practices and management activities are not barriers for underserved groups and to provide templates for State-level/field offices for presenting technical information to this client group, toward maximizing participation and service delivery. One specific</li> </ul>

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			<p>template identifies common barriers and presents strategies for working effectively with small scale farmers.</p> <ul style="list-style-type: none"> <li>• Contributed to program reviews with those 1890 Universities with which NRCS has contracts, including Florida A&amp;T and North Carolina A&amp;T, as well as on projects dealing with water and air quality, biomass, and animal husbandry.</li> <li>• Implemented the Conservation Partnership Initiative (CPI), a voluntary program established to foster conservation partnerships that focus technical and financial resources on conservation priorities in watersheds and airsheds of special significance. Language in the CPI request for proposals indicates that NRCS intends to select annually, as one of the CPI awards, a proposal that addresses the conservation priorities of Limited Resource and Beginning Farmers and Ranchers, and Tribes.</li> <li>• Announced the recipients of the inaugural CPI awards. Among the six awardees was a non-profit organization whose project addresses the conservation needs of Beginning Livestock Farmers in New England.</li> <li>• Finalized a revised Emergency Watershed Program (EWP) rule that includes a provision to provide up to 90 percent financial assistance for Limited Resource (income)</li> </ul>

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			<p><b>Areas/Clients. Limited Resource Areas are based upon U. S. Census information and identified by county. State Conservationists may request a waiver to allow the 90 percent cost-share in areas that meet the Limited Resource criteria but are not located within a Limited Resource Area as identified by the U. S. Census.</b></p> <ul style="list-style-type: none"> <li>• <b>Drafted a new EWP manual (currently, Part 509 of the National Watershed Manual is the policy for EWP). The draft document reflects the cost-share rate change—to provide up to 90 percent Federal cost-share for Limited Resource Areas. The EWP manual is scheduled to be finalized by the end of FY 2005.</b></li> <li>• <b>Conducted an EWP training workshop, July 19 – 21, 2005. One of the agenda items was cost-share rates for Limited Resource Areas.</b></li> <li>• <b>Finalized and incorporated the new Conservation Technical Assistance (CTA) Program policy into NRCS' web-based directive system. The CTA Program policy includes a section on "outreach" to ensure that limited resource and minority farmers, American Indian, and female land users are properly served. The CTA Program Policy Development Team consisted of six Black males, five White males, one Native Hawaiian/Pacific Islander male, seven White females, one</b></li> </ul>

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			<p>American Indian male, and one Hispanic male. Over 76 percent of the team consisted of minority and/or female employees.</p> <ul style="list-style-type: none"> <li>• Developed a Conservation Technical Assistance (CTA) Program allocation formula for allocating funds to states. The CTA Program is the largest technical assistance program in the agency. The formula includes factors recognizing limited resource producers, small farms, number of Tribes, and Tribal acres. The CTA Program Formula Development Team included two Black males, five White males, one Native Hawaiian/Pacific Islander male, and two White females. Fifty percent of the team consisted of minority and/or female employees.</li> <li>• Provided direct technical assistance to 750 individuals, including underserved communities, seeking information on farmland protection strategies through the Farmland Information Center.</li> <li>• Provided outreach to Native Hawaiian/Pacific Islander and Black farmers, to inform them about the benefits of conservation easements, through a cooperative agreement with the American Farmland Trust.</li> <li>• Conducted a three-day workshop on the Farm and Ranch</li> </ul>

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			<p><b>Lands Protection Program (FRPP) to governmental representatives and land trusts seeking to protect native and historically significant Hawaiian cultural sites.</b></p> <ul style="list-style-type: none"> <li>• <b>Distributed estate planning guidebooks for limited resource and minority farmers that detail strategies for protecting farm and ranch land. The guidebooks were distributed at the following venues: American Farmland Trust National Workshop (over 300 state and local participants), and the Land Trust Alliance Rally (over 1,700 land trusts participating).</b></li> <li>• <b>Leveraged FRPP funds to help purchase 644 acres of apple orchards in Southern New Hampshire since 1997. The orchards employ migrant workers, who depend on work in the orchards to meet the needs of their families. Recently, FRPP funded a conservation easement on the 193-acre Applecrest Orchards in Hampton Fall, New Hampshire.</b></li> <li>• <b>Provided \$20,000 to the Flandreau Santee Sioux Tribe for enrolling a riparian easement into the Wetlands Reserve Program. The easement is one of the first of its kind to occur on Indian Trust Land. The easement is being used as an outreach mechanism by the Tribe to demonstrate the water quality benefits of conservation practices to the community.</b></li> </ul>

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			<ul style="list-style-type: none"> <li>• The State of Montana is in the process of enrolling five GRP rental agreements, totaling 2,700 acres, on the Fort Belknap Indian Reservation to protect Sage Grouse habitat.</li> <li>• Conducted three RC&amp;D Concepts and two RC&amp;D Area planning courses for RC&amp;D coordinators, RC&amp;D program managers and RC&amp;D Council members in FY 2005. Both courses emphasize public participation in the development and implementation of RC&amp;D area plans to ensure that all residents within the RC&amp;D geographic region are included.</li> <li>• Provided outreach and training to Texas-Mexico Border Coalition on NRCS' conservation programs and services.</li> <li>• Collaborated with the Texas-Mexico Border Coalition and NASS to develop a tri-fold brochure for Hispanic and American Indian farmers and ranchers to ensure USDA has a better count on the 2007 Census of Agriculture.</li> <li>• Collaborated with the Bureau of Indian Affairs in updating the 1988 memorandum of understanding between the two agencies to effectively deliver service to Indian Tribes.</li> <li>• Created a CSP funding strategy for the 2005 sign-up that maximized the Limited Resource Producers participation.</li> <li>• Included Tribal and traditionally underserved community</li> </ul>

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			<p>groups in program discussions during policy discussions and information gathering prior to rule making resulting in more effective public comment generation.</p> <ul style="list-style-type: none"> <li>• Consummated a contribution agreement with the National Association of Conservation Districts which includes “Diversity Awards” in the plan of work. The agreement underpins a “Diversity and Outreach Task Force” which is committed to expanding conservation services to all customers with a focus on outreach to traditionally underserved customers. The task force is also undertaking activities to promote diversity on conservation district boards.</li> <li>• Conducted a listening session for the national RC&amp;D program evaluation with American Indian Conservation Districts at the Indian Nations Conservation Alliance meeting in December, 2004. Over 34 tribal representatives participated in the session.</li> <li>• Partnered with the National Association of RC&amp;D Councils (NARC&amp;DC), National Association of Conservation Districts (NACD), National Conservation District Employees Association and National Association of State Conservation Agencies to promote diversity in the conservation partnership. Over 100 participants attended the diversity conference in Dallas, TX, November 30 – December 1, 2004.</li> </ul>

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			<ul style="list-style-type: none"> <li>• Partnered with NARC&amp;DC to provide outreach training for reaching underserved and underrepresented groups to RC&amp;D Council members and coordinators at seven regional RC&amp;D association meetings and two state RC&amp;D meetings in Nebraska and California.</li> <li>• Partnered with NARC&amp;DC to produce a report on persistent rural poverty and the partnerships response to address the issue. The report also provided information on other USDA programs that can be used by RC&amp;D Councils to address the issue of persistent rural poverty.</li> <li>• Participated in USDA Small Farm Coordinating Committee actions designed to improve access and services, including the following: <ul style="list-style-type: none"> <li>○ Provided assistance to Virgin Islands Agriculture Department with the development of a Strategic Plan for the conservation and management of the Virgin Island's Natural Resources.</li> <li>○ Provided 10 used laptop computers to be used by the Virgin Island Department of Agriculture and the University of the Virgin Island's Extension Department that will be used to train small farmers in computer use for record keeping.</li> <li>○ Conducted Virgin Island Small Farmer listening</li> </ul> </li> </ul>

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			<p style="text-align: center;">sessions to identify barriers to their full participation in USDA Programs and Services.</p> <ul style="list-style-type: none"> <li>• Provided assistance to the 2501 Grant program that provides grants to minorities.</li> <li>• Established a Cooperative Agreement with Indian Nations Conservation Alliance, a non-profit organization, to get assistance with on-site outreach and training to American Indians and Alaska Natives. The agreement will facilitate capacity-building workshops, assist in implementing NRCS conservation programs on Tribal Lands, produce a Tribal Conservation District Handbook and help NRCS serve customer needs.</li> <li>• Supported the national tribal liaisons meeting and the American Indian and Alaska Native Employees program delivery training held in Polson, Montana.</li> <li>• Supported and participated in the East Region's American Indian Program Delivery Initiative at the Poarch Creek Indian Reservation in Atmore, Alabama. Presented information about NRCS programs and participated in workshops with Each Region's Tribal representatives to learn more about them.</li> </ul>

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			<ul style="list-style-type: none"> <li>• <b>Organized and participated in a USDA and NRCS site visit to the Pamunkey Reservation in Virginia to learn more about State-recognized Tribes. The Pamunkey Tribe is one of the oldest recognized Tribes in the nation, originating in the 1600's with a Treaty with the King of England.</b></li> <li>• <b>Provided tribal relations training and discussed agency strategies to increase program participation with Tribes to State Conservationists and program managers at a national training sessions held in Utah.</b></li> <li>• <b>Provided outreach and technical assistance to the United Farmers USA Cooperative for minority farmers. Provided planning, coordination, and participated in their "Growing Opportunities" Workshop at Columbia, South Carolina.</b></li> <li>• <b>Participated in the New Growth Partnerships Committee to develop a strategic work plan for the MOU between USDA and HHS to assist Refugees resettled into agricultural communities.</b></li> <li>• <b>Developed working strategies for the implementation of outreach to deliver technical and financial assistance to Refugees and Limited Resource Producers in rural communities.</b></li> </ul>

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			<ul style="list-style-type: none"> <li>• Developed and updated the Web-based Self-determination Tool for Limited Resource Producers that allows a farmer or rancher to self-certify his/her eligibility for increased cost-share rates.</li> <li>• Funded 1,156 EQIP contracts covering nearly 436,000 acres of farm and ranch land for Limited Resource Farmers and Ranchers in FY 2004 for a total of \$18.3 million. Agriculture Secretary Mike Johanns announced these figures on May 23, 2005 while participating in a roundtable discussion in Arkansas that addressed concerns of minority producers.</li> <li>• Provided EQIP funding for nearly one out of every two Limited Resource Producer applications, as compared with only one out of every four applications for “non-underserved” applications. Limited Resource Farmers received 2.55 percent of the total EQIP funds in FY 2004.</li> <li>• Seventeen States received \$22.2 million in EQIP funds for their high levels of performance in implementing the program in FY 2004. The states receiving the performance incentive award were Alabama, Arkansas, Georgia, Idaho, Louisiana, Maine, Mississippi, Montana, New Mexico, North Dakota, Ohio, Oklahoma, South Carolina, Texas, Utah, Washington, and Wyoming. In awarding the performance incentives, NRCS considered a number of factors including the number</li> </ul>

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			<p>of contracts with <b>Limited Resource Farmers and Ranchers.</b></p> <ul style="list-style-type: none"> <li>• <b>Provided \$6 million for new Small-Scale/Limited Resource Farmers Initiatives to help farmers implement conservation practices on their land. NRCS offices in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and the Caribbean Area dedicated up to \$500,000 in program funds for the initiative, which will help increase participation in USDA voluntary conservation programs through improved outreach efforts to Limited Resource Farmers. The funds will help farmers with 100 acres or less of cropland implement conservation practices. To be eligible, at least 10 percent of the cropland acres must be planted to alternative crops. Cost-share rates are up to 90 percent for all practices.</b></li> <li>• <b>An American Customer Satisfaction Index (ACSI) survey of the Wildlife Habitat Incentives Program (WHIP) was completed and produced by the National Quality Research Center at the University of Michigan Business School, CFI Group, and the Federal Consulting Group. The survey is a measure of customer satisfaction with the WHIP program. A random sample of 260 WHIP contract holders participated in survey interviews. The interviewees included various ethnic backgrounds of both male and female NRCS customers. The customer satisfaction index for WHIP customers was 77 on a 0 – 100 percent scale. The score is higher than the current</b></li> </ul>

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			<p>national private sector ACSI of 74.3, as well as the private sector Services score of 74.7 (as of the end of the first quarter of 2004.) This score is also well above the aggregate Federal government ACSI score of 70.9 as of December 2003.</p> <ul style="list-style-type: none"> <li>• Targeted Watershed Protection and Flood Prevention Program (WPFPP) funds to protect underserved communities (Holly Hill, South Carolina, and Buena Vista, Virginia) by using measures to reduce the impact of floods on homes, businesses, and public infrastructure.</li> <li>• Implemented flood channel improvements in Holly Hill, South Carolina. The improvements are designed to reduce the impact of floods by 80 percent to homes and the downtown business district, and provide over \$100,000 of average annual benefits. The watershed improvements benefit the Holly Hill community, which has an unemployment rate of over 10 percent, a per capita income of 68 percent of the State average, and 63 percent minority population.</li> <li>• Implemented the first phase of planned flood channel improvements in the Buena Vista watershed in Virginia. The improvements are designed to reduce the impact of floods by 61 percent to homes, businesses, and public infrastructure, and provide over \$700,000 or average annual benefits. The watershed project measures will benefit a population of 6,400,</li> </ul>

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			<p>including over 300 minorities, 65 percent of the population over 65 years old, 6.2 percent unemployment, 66 percent low and moderate income, and 15 percent of the households below poverty level.</p> <ul style="list-style-type: none"> <li>Completed the Sandia Mountain Watershed Rehabilitation project plan. The planned rehabilitation work will upgrade the 50-year flood control dam to current State and Federal safety and performance standards and extend the service life of the structure for 100 years. The dam provides flood protection to the town of Bernalillo, New Mexico. The benefited area has a population of 1,760, including 1,390 minorities. There are a significant number of disadvantaged households in the area. The per capita income of Bernalillo is 60 percent of the U. S. average; all of the farmers in the benefited area are Limited Resource Farmers.</li> <li>Provided benefits to 442,653 minorities impacted by 24 natural disasters through EWP during the period October 1, 2004 through July 7, 2005. EWP funding for these natural disaster recovery events totaled over \$57 million, including over \$7 million for 8A contractors.</li> <li>In a partnership effort with the University of Nebraska and American Farmland Trust, designed a telephone survey to acquire feedback from 400 FRPP landowners on the impact of</li> </ul>

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			<p><b>FRPP and community assistance in rural, urban, and urbanizing areas. The randomly sampled survey will be conducted during the summer of 2005.</b></p> <ul style="list-style-type: none"> <li>• <b>Organized NRCS farm policy sessions and discussions with employee organizations, resulting in more effective internal understanding of information.</b></li> <li>• <b>Worked with the Social Sciences Institute and the new regional structure on outreach, customer service, and the self assessment utility to reach/serve minority producers, resulting in participation exceeding projections.</b></li> <li>• <b>Through an internal team effort (October, 2004), established a strategic framework to diversify TSPs—including increasing outreach efforts for and program participation of MSIs (resulting in the following June 2005 partnership workshop activities).</b></li> <li>• <b>Through workshop activities, developed a working partnership with MSIs (attended by three 1890 and two Hispanic Serving Institutions, June 29, 2005, Lafayette, Louisiana) to increase TSP diversity through:</b> <ul style="list-style-type: none"> <li>○ <b>Identification of stakeholders, barriers, solutions, possible funding sources, and deployment methodologies;</b></li> </ul> </li> </ul>

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			<ul style="list-style-type: none"> <li>○ Identification of methodologies for gaining supportive partnerships with Asian Pacific Islander, Native American and other emphasis area groups; and</li> <li>○ Establishment of a FY 2005-2010 strategic plan for empowering MSIs to deliver information and training to minorities in order to increase TSP diversity.</li> </ul> <ul style="list-style-type: none"> <li>• Partnered, through a contribution agreement, the National Association of Tribal Historic Preservation Officers (NATHPO) in 4 tasks: completion of best practices in cultural resources consultation study, NATHPO participation in NRCS' American Indian Alaska Native Employee's Association (AIANEA) annual training workshop (Summer 2005), participation in the NATHPO Annual Meeting (Summer 2005); updating a Web publication on State human burial and repatriation laws.</li> <li>• Provided technical expertise to NATHPO concerning their best practices in cultural resources consultation study.</li> <li>• Provided technical expertise to a NATHPO radio broadcast on consultation best practices (Summer 2005).</li> <li>• Partnered with the U.S. Department of the Interior, Environmental Justice Working Group toward improving service delivery (Spring 2005).</li> </ul>

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			<ul style="list-style-type: none"> <li>• Partnered with and provides technical expertise to the Savannah River Environmental Sciences Field Station – Center of Excellence, resulting in a number of program changes to help students learn about NRCS and natural resources conservation. Students in this Center of Excellence are from 30 minority universities and colleges in six states: Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee. The Center offers the opportunity for the best and brightest high school students to study the environment and natural resources. Additionally, the best of these students will be invited to present their work to the sponsoring Federal agencies (NRCS and others).</li> <li>• Extended technical expertise to the Spellman College Advisory Board to help identify ways to improve students' awareness and knowledge of NRCS and natural resources conservation.</li> <li>• Partnered and provided technical expertise to Alcorn State University to particularly benefit limited resource and small farmers: providing on-site assistance and demonstrations on selected Mississippi farms (in concert with State-level officials) and by providing 200 farmers and educators with information and procedures for soil quality/agronomy conservation and agroforestry and their adaptation to small</li> </ul>

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			<p>farm practices (National Small Farm Conference, South Carolina) and an additional estimated 200 farmers and educators (Mississippi) and by exchanging technical information and experience with leaders of the Small Farm Cooperative (Mississippi).</p> <ul style="list-style-type: none"> <li>• Partnered with Big Pine Piute, Karuk, Salinan, Washoe, and Makah Tribal leadership, providing field assistance in documenting their traditional ecological knowledge in preparation for the issuance of "Traditional Ecological Knowledge: An Important Facet of Natural Resources Conservation," an officially issued directive (technical note) and on conservation field trials.</li> <li>• Partnered with Salinan Tribal leaders and provided technical expertise in digitizing traditional ecological knowledge from historical ethnographies for eventual repatriation of the information to the Tribe and incorporation of data into directives for field employees' use in providing assistance to Tribal members.</li> <li>• Provided technical expertise and information to the Western Mono Tribe concerning traditional ecological knowledge materials; to a Luiseno Tribal member concerning ethnobiology (presented to the Society of Ethnobiology).</li> <li>• Partnered with Southern University Center of Energy and</li> </ul>

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			<p><b>Environmental Studies in an effort to establish a collaborative project (pending).</b></p> <ul style="list-style-type: none"> <li>• <b>Partnered with USDA's Agricultural Research Service, Soil Dynamics Laboratory (Auburn, Alabama) to establish farmer/research demonstration projects. ARS agreed to work with two or three minority –small –vegetable farmers on conservation systems for research and training purposes. These farmers will in turn share their knowledge with their community.</b></li> <li>• <b>Partnered with the USDA's Forest Service, through the National Agroforestry Center, and with Alabama A&amp;M University to provide:</b> <ul style="list-style-type: none"> <li>○ <b>A week-long seminar and training course for 1890 Agroforestry Faculty members. This year focused on Forest Farming - including the new NRCS practice standard on multi-story cropping—popular with small landowners to help diversify or develop specialized crops grown under forest canopies such as ginseng, herbal plants, and mushrooms; and</b></li> <li>○ <b>A silvopasture demonstration with plant materials testing (Alabama A&amp;M) in conjunction with private industry.</b></li> </ul> </li> </ul>

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			<ul style="list-style-type: none"> <li>• Partnered with North Carolina A&amp;T regarding technology delivery and transfer for NRCS boot camp activities (NC A&amp;T), with Florida A&amp;M regarding animal waste treatment and utilization, and with Alcorn State regarding no-till and irrigation for small scale vegetable farmers.</li> <li>• Partnered with Virginia State University (1890) through a cooperative agreement for a center for plants and water quality—establishing a mobile conservation education and training laboratory.</li> <li>• Partnered with Bethesda High School (Bethesda, Maryland) to provide actual work experience for Earth Team volunteers—as an effort to educate urban high school students about general agriculture and specifically animal agriculture. This effort provided many minority students with their first orientation to animal and general agriculture.</li> <li>• Partnered with Tuskegee University resulting with the placement of a minority (Black male) student at an NRCS Alabama Field Office.</li> <li>• The Outreach Division (OD) has begun communication in the development of partnerships with public and private sector entities in alignment with the President's competitive sourcing management agenda. This was accomplished through the distribution of key agency information, i.e., comments on</li> </ul>

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			<p>national outreach policy, federal register notices and proposed rules on the Technical Services Provider Program, Conservation Innovative Grants Program, to name a few. The OD has revised its partnership listing with an increase of 60 percent.</p> <ul style="list-style-type: none"> <li>• OD works closely with the agency's national American Indian Liaison and the National Small Farms Coordinator on various departmental and agency initiatives in a coordinated-effort to improve the effectiveness of services and awareness to the underserved populations.</li> <li>• In a better effort in providing awareness through E-Government, the OD has taken the initiative to coordinate with the Management Services Division to use Outreach's customer database to distribute pamphlets, posters and program information to the underserved communities. This effort will increase the Division's distribution efforts by 80 percent complete.</li> <li>• NRCS provided \$7,500 towards the USDA-initiated annual NAACP conference. The NRCS Outreach Division participated and provided staff support in the distribution of 500 agency program packages, including program fact sheets and outreach coordinator contacts. This effort provided agency awareness to over 5,000 conference participants.</li> </ul>

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			<ul style="list-style-type: none"> <li>• <b>OD participated, provided financial, technical assistance and research with minority employee organizations, community based organizations and minority-serving institutions that serve as partners to increase program outreach efforts, but not limited to:</b> <ul style="list-style-type: none"> <li>○ <b>Intertribal Agriculture Council (IAC)</b></li> <li>○ <b>Minorities in Agriculture Natural Resources and Related Sciences (MANRRS)</b></li> <li>○ <b>American Indian Higher Education Council (AIHEC)</b></li> <li>○ <b>1890, 1994, APA and HSI's in implementation of the NRCS Scholars programs.</b></li> <li>○ <b>Rural Coalition</b></li> <li>○ <b>Federation of Southern Cooperatives</b></li> <li>○ <b>Risk Management Agency Outreach Panel</b></li> <li>○ <b>National Council for Science and the Environment</b></li> <li>○ <b>Professional Agricultural Worker's Conference</b></li> <li>○ <b>Advisory Board Member</b></li> <li>○ <b>Agency recognized Employee Organizations</b></li> </ul> </li> <li>▪ <b>Participated in a Tri-State (GA, FL, AL) Small Limited Resource Farmer Conference in Dothan, Alabama. Provided agency program information to approximately 50 participates.</b></li> <li>▪ <b>Represented on a panel to provide information on agency</b></li> </ul>

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			<p>programs and Farm Bill legislation to approximately 50 individuals at the Tuskegee Black Farmers Conference.</p> <ul style="list-style-type: none"> <li>• Represented at the Second Annual USDA Partner's Working meeting on Program Equity held in Washington, DC at the Marriott Metro Center hotel, coordinated through the office of the Assistant Secretary for Civil Rights. Provided an overview of agency programs to approximately 150 participants representing various tribal nations, government and non-government entities, community based organizations and others.</li> <li>• The NRCS is a key representative of USDA's Inter-Agency partnership effort with the Marriott Hotels International Corporation. NRCS is a team member of the Departments planning team for the Center for Minority Farmers.</li> <li>• The NRCS is a key representative in the joint multi-agency USDA Small Farms Conference to be held in Greensboro, North Carolina in October 2005. The expected conference attendance is 300.</li> <li>• The NRCS provided 140 excess property computers to 11 churches and faith-based organization, thus accomplishing the President's Management Agenda, Faith-Based and Community Initiative, along with enhancing the agency's capacity building within the local communities.</li> </ul>

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<b>3. <u>EEO Program: Proactive Management and Legal Compliance:</u></b>  Provide a workplace free of unlawful discrimination and enhance the diversity of the workforce.	<b>3.1 <u>Human Capital Management:</u></b>  Take affirmative steps to ensure that: <ul style="list-style-type: none"> <li>• Unlawful discrimination does not occur in recruitment, hiring, training, and promotion policies, procedures, and practices.</li> <li>• Employees from diverse backgrounds are hired.</li> </ul>	<b>3.1.1 <u>Human Capital Plan Diversity Management:</u></b> <ul style="list-style-type: none"> <li>• Assess under presentation,</li> <li>• Target improvement, and</li> <li>• Develop and implement effective strategies for improving diversity.</li> </ul>	<p>The FY 2005 President's Budget submitted by NRCS included several sections of the explanatory notes highlighting NRCS civil rights and equal employment opportunity accomplishments and agency initiatives, including specific outreach to underserved populations, recruitment and outreach to Black, Hispanic and American Indian colleges and universities to enhance the diversity of future workforce and initiatives to implement provisions of the 2002 Farm Bill related to limited resource and beginning farmers and ranchers.</p> <p>During FY 2004, NRCS permanent work force grew by 281 employees, increasing from 11,868 to 12,149.</p> <p>Among the number of NRCS women and minorities employees, women increased by 165, White females increased by 121, and Black females increased by 23.</p> <p>As of July 31, 2005, NRCS permanent work force decreased by 196 employees from FY 2004. However, women increased by 23, White females increased by 25, Hispanic females increased by 5, and American Indian/Alaskan Native females increased by 3.</p> <p>During FY 2005, Hispanic males increased by 29, Asian American/Pacific Islander females increased by 10, Hispanic females increased by 5, Asian American/Pacific Islander males increased by 4 and American Indian/Alaska Native males increased by 2.</p>

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			<p><b>During FY 2005, NRCS contributed and supported approximately \$800,000 towards scholarships, salaries, tuition, books and fees.</b></p> <p><b>In FY 2005, recruitment and retention initiatives of the NRCS and the United States Department of Agriculture (USDA), relating to women, minorities and individuals with disabilities included the following:</b></p> <ul style="list-style-type: none"> <li>• <b>Provided \$15,000 in support of the annual Minorities in Agriculture National Resources and Related Sciences (MANRRS) conference held in Philadelphia, PA. The OD also provided program and career information through the National Outreach display and exhibit.</b></li> <li>• <b>NRCS currently has a total of 28 USDA 1890 Scholars and interns, 7 NRCS Asian Pacific Islander Scholars, 10 USDA Public Service Scholars (Hispanic) and 5 NRCS Tribal Scholars.</b></li> <li>• <b>Seventy-eight individuals with disabilities, including one student from the Workforce Recruitment Program for college students with disabilities (WRP)</b></li> <li>• <b>Four Native American Students from the Washington Internships for Native American Students (WINS) Program</b></li> <li>• <b>The Hispanic Public Service Scholars (PSS) Program was</b></li> </ul>

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			<p>launched by the Department in early spring 2002. To date, NRCS currently have a total of 9 students in the PSS Program attending schools in CA, PR, NM and FL. Summer employment locations are GA, LA, IA, OR, WV, TN, MA, MI and MD.</p> <ul style="list-style-type: none"> <li>• NRCS administers, reviews, manages and provides \$1,000,000 in support of several Centers of Excellence focusing on agency program priorities: <ul style="list-style-type: none"> <li>○ Langston University – Grasslands</li> <li>○ South Carolina State University – Environmental Education</li> <li>○ Lincoln University – Geospatial Information Systems</li> <li>○ Virginia State University – Water Quality</li> <li>○ North Carolina A&amp;T University – Agricultural Engineering</li> </ul> </li> </ul> <p>NRCS also used recruitment/retention incentives, student loan repayments and superior qualifications appointments to attract highly qualified candidates to hard-to-fill positions in the agency as follows:</p> <ul style="list-style-type: none"> <li>• Nine recruitment incentives</li> <li>• Three retention allowances</li> </ul>

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			<ul style="list-style-type: none"> <li>• One student loan repayment</li> <li>• Two superior qualifications appointments</li> </ul> <p>NRCS had a national presence at seven job fairs which resulted in 26 diverse student and full-time hires. Thirty-five vacancies were identified in 18 states.</p> <p><b>Recruitment Fairs attended:</b></p> <ul style="list-style-type: none"> <li>• Asian American and Pacific Islander Summit</li> <li>• American Indian Science and Engineering Society (AISES)</li> <li>• California Polytechnic, Pomona, California, USDA Multi-Agency Recruitment Initiative</li> <li>• Minorities In Agriculture, Natural Resources and Related Sciences (MANRRS)</li> <li>• Oaks Mission School, Oakes Oklahoma, USDA Multi-Agency Recruitment Initiative</li> <li>• Society for Range Management (SRM)</li> <li>• University of Texas</li> </ul>

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			<p>NRCS has a 16-member diverse National Cadre which recruited at career days, job fairs, workforce diversity conferences and professional agricultural and natural resource society meetings. The Recruitment Cadre consists of Human Resources Specialists, National Civil Rights Staff and subject matter experts from throughout the Agency. The combined skill of the Cadre gives a potential job applicant a glimpse of what it is like to work in NRCS on a day-to-day basis. The Human Resources Specialists on the Cadre interview job applicants and match their skills to existing job vacancies in NRCS State Offices. National Civil Rights Staff market NRCS as a welcoming "employer of choice" and subject matter experts describe our mission-critical conservation work.</p> <p>NRCS provided \$50,000 towards various Hispanic Serving Institutions for support of student tuition, room &amp; board and other fees.</p> <p>Recruited and mentored four Native American Interns through the WINS (Washington Internship for Native Students) program. The Interns were given very meaningful and challenging tasks, including participating in conservation activities at the field office level.</p> <p>Coordinated efforts to recruit American Indian college graduates by NRCS and other USDA agencies at the American Indian Science and Engineering Society Conference held in Anchorage, Alaska.</p> <p>Provided outreach efforts to the National Congress on American</p>

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			<p><b>Indians.</b></p> <p><b>Provided support for the development and distribution of 13,000 posters during the November American Indian Heritage Month.</b></p> <p><b>Partnered with the National Hispanic Environmental Council (NHEC) to support the "Minority Youth Training Institute, August 11-21, 2005 in Glorietta, NM and the National Hispanic Sustainable Energy and Environmental Conference, November 5-8, 2005, in Seattle, WA.</b></p> <p><b>Created long-term opportunities for woman and minority employees to participate in Farm Bill implementation activities, including two GS-14 and two GS-13 females and a GS-14 Hispanic female Executive Development detailee, resulting in their exposure to a broad scope of responsibility and urgency of a national effort.</b></p>
<p><b>3. <u>EEO Program:</u></b>  <b><u>Proactive</u></b>  <b><u>Management and</u></b>  <b><u>Legal Compliance:</u></b></p> <p>Provide a workplace free of unlawful discrimination and enhance the diversity of the workforce.</p>	<p><b>3.1 <u>Human Capital</u></b>  <b><u>Management:</u></b></p> <p>Take affirmative steps to ensure that:</p> <ul style="list-style-type: none"> <li>• Unlawful discrimination does not occur in recruitment, hiring,</li> </ul>	<p><b>3.1.2. <u>Barrier Analysis:</u></b></p> <ul style="list-style-type: none"> <li>• Identify barriers, and</li> <li>• Take affirmative steps to remove barriers to workforce diversity, as required by MD-715.</li> </ul>	<p><b>NRCS is committed to addressing the under representation of women, minorities and persons with disabilities and has developed a national recruitment/retention strategy designed to strengthen the agency's resolve to improve its diversity.</b></p> <p><b>In the Federal Agency Annual EEO Program Status Report (MD 715) for FY 2004, the agency established plans to eliminate identified barriers to diversity of its workforce as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Ensure NRCS is represented at the Workforce Recruitment Program for people with disabilities recruitment interviews.</b></li> </ul>

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	training, and promotion policies, procedures, and practices. • Employees from diverse backgrounds are hired.		<ul style="list-style-type: none"> <li>• DEPM develop a network with university student disability liaisons.</li> <li>• CRD and HRD develop recruitment strategies specifically for Asian Americans, females, Hispanics, and students with disabilities.</li> <li>• Identify an action team to develop and implement upward mobility/career development training programs to assist Asian American, Hispanics, and persons with disabilities promotion potential</li> <li>• Provide cultural diversity training to all employees</li> <li>• Develop a waiver extending return to Pacific Basin and Native Hawaiian employees</li> </ul>
<b>3 <u>EEO Program: Proactive Management and Legal Compliance:</u></b>  Provide a workplace free of unlawful discrimination and enhance the diversity of the workforce.	<b>3.1 <u>Human Capital Management:</u></b>  Take affirmative steps to ensure that:  • Unlawful discrimination does not occur in recruitment, hiring, training, and promotion policies, procedures, and practices.	<b>3.1.3 <u>Civil Rights Training:</u></b>  Conduct employee civil rights training to increase awareness, understanding and appreciation for workforce diversity, and civil rights requirements and obligations. Training is to include the FY 2005 requirements: EEO Process and Affirmative Action, and completion of Cultural Diversity and Prevention of	<b>Mandatory OCR directed Civil Rights Training was provided to all NRCS employees in FY 2005. The training was posted on the AgLearn website offering employees easy access 24/7. The training was entitled: “Stopping Sexual Harassment Before It Starts” and “Diversity in the Workplace.”</b>  <b>NRCS has Special Emphasis Program Managers (SEPMs) and each State has SEPMs and Civil Rights Advisory Councils. Each of these individuals receives annual on-going training and additional periodic training as needed. The work of these SEPMs is coordinated by the NRCS National SEPMs, who provide oversight and guidance on Agency priorities, recruitment and retention initiatives.</b>  <b>NRCS provided all SEPMs training in Reno, Nevada March 28</b>

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	<ul style="list-style-type: none"> <li>• Employees from diverse backgrounds are hired.</li> </ul>	Sexual Harassment, if not completed in FY 2004.	<p><b>through April 1, 2005. Two hundred and five SEPMs and Civil Rights Committee Members were in attendance who received training in Roles and Responsibilities, Management Directive 715, Reasonable Accommodations, Limited English Proficiency, Ethics and Outreach.</b></p> <p><b>CRD provided civil rights training to 75 newly assigned conservation technical employees at training locations in North Carolina, West Virginia, and Oregon during July 2005.</b></p> <p><b>Additional Civil Rights training was provided by CRD in FY 2005 as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Hispanic Emphasis Program Managers in Lafayette, Louisiana on June 27, 2005.</b></li> <li>• <b>American Indian/Alaska Native Emphasis Program Managers in Polson, Montana on June 27, 2005.</b></li> <li>• <b>Newly assigned State Conservationists in June 2005</b></li> <li>• <b>All employee meetings for Texas in December 2004, and for Montana and South Dakota in August 2005</b></li> <li>• <b>The Asian American/Pacific Islander Emphasis Program Managers in Wichita, Kansas, on August 8, 2005.</b></li> </ul> <p><b>The NRCS Outreach Division provides updates and key instruction for the orientation for New NRCS Employees, National Employee Development Center (NEDC) training modules on Program Delivery and Compliance, Working Effectively with American Indians and other national special emphasis program managers training sessions</b></p>

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			<p>with SEPM's.</p> <p>The OD staff assisted, supported and participated in all 4 NRCS national employee organization conferences.</p> <p>NRCS developed internal and external outreach training based on individual and local needs. Implementation of training is coordinated with various entities such as the Social Sciences Institutes, NEDC and public and private sector training firms.</p> <p>The NRCS National Employee Development Center provided the following civil rights training to 837 students in FY 2005:</p> <ul style="list-style-type: none"> <li>• Civil Rights Compliance in Program Delivery to 249 students</li> <li>• Working Effectively with Alaska Natives to 25 students</li> <li>• Working Effectively with American Indians to 59 students</li> <li>• Consultation with American governments to 31 students</li> <li>• Intro to NRCS (Covers Title VI and Title VII Civil Rights Topics) to 473 students</li> </ul>
<p><b>3. <u>EEO Program:</u></b>  <b><u>Proactive</u></b>  <b><u>Management and</u></b>  <b><u>Legal Compliance:</u></b></p> <p>Provide a workplace</p>	<p><b>3.2 <u>Comprehensive</u></b>  <b><u>EEO Evaluation</u></b>  <b><u>Program:</u></b></p> <p>Assess employment policies and practices.</p>	<p><b>3.2.1 <u>Compliance Reviews:</u></b></p> <p>Take preventative and corrective actions resulting from compliance reviews, and reported outcomes and</p>	<p>See Section 2 on Program Delivery. NRCS compliance reviews are conducted jointly to assess the Agency's compliance with both Title VI and Title VII requirements. Ten States received Title VII compliance reviews and 548 field offices were reviewed in FY 2005.</p> <p>NRCS General Manual (GM) 230, Part 405 requires that States</p>

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free of unlawful discrimination and enhance the diversity of the workforce.		corrective actions taken.	<p>submit a corrective action plan to the Civil Rights Staff within 30 working days from the receipt of the Civil Rights Compliance Review. Corrective actions are submitted every 90 days until the action had been satisfied.</p> <p>Section 504 accessibility requirements continue to be the most common violations observed during compliance reviews. However, a majority of the violations were minor and are corrected on-site. States are directed to provide documentation reflecting accessibility violations identified and the need for re-mediation to the lease holders of the offices found to be in noncompliance.</p> <p>The Director CRD and the NHQ DEPM directed an Agency wide accessibility survey of all NRCS facilities which was completed in March 2005.</p> <p>The NRCS Employment and Classification Team developed a Program Review Guide to be used nationwide by human resources personnel when conducting compliance reviews. The use of this guide will lead to a more thorough and consistent compliance and investigative review process.</p> <p>In addition, the HRMD participated in several compliance reviews in FY 2005 focusing primarily in the areas of Employee Relations, Merit Promotion, Delegated Examining, and Classification.</p>
3. <u>EEO Program:</u> <u>Proactive</u>	3.2 <u>Comprehensive</u> <u>EEO Evaluation</u>	3.2.2 <u>No FEAR Act:</u> Provide timely submissions	NRCS works closely with the Office of Civil Rights No FEAR Coordinator and provides early submission of quarterly reports and

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<b><u>Management and Legal Compliance:</u></b>  Provide a workplace free of unlawful discrimination and enhance the diversity of the workforce.	<b><u>Program:</u></b>  Assess employment policies and practices.	<b>for compliance with the No FEAR Act:</b>  <ul style="list-style-type: none"> <li>• Quarterly submissions, and</li> <li>• Annual Report submissions.</li> </ul>	<b>Annual Reports to OCR and EEOC.</b>  <b>CRD posts the agency's EEO complaint status reports on the NRCS Website so it is available to be viewed by all of NRCS' employees in compliance with the No Fear Act. A memorandum was distributed to all employees with instructions for accessing the reports.</b>
<b>3. <u>EEO Program: Proactive Management and Legal Compliance:</u></b>  Provide a workplace free of unlawful discrimination and enhance the diversity of the workforce.	<b>3.3 <u>Efficient EEO Complaint Process:</u></b>  Manage an effective complaint processing program.	<b>3.3.1 <u>Complete EEO Investigations within 45 days:</u></b>  Complete investigations within 45 days from receipt of an acceptance from CR	<b>Under the formal complaint processing procedures outlined in Management Directive 110 and 29 CFR 1614, NRCS staff completed thirty-four (34) Reports of Investigations. Thirty-two (32) of those cases or ninety-seven percent were completed within 45 days from receipt of an acceptance letter from USDA. Formal cases are those in which the Complainant files a formal complaint after he or she has been issued a Notice of Right to File. The NRCS staff ensures that employment discrimination complaints are processed fairly, promptly, thoroughly, and in strict compliance with the Equal Employment Opportunity Commission guidance.</b>  <b>NRCS staff ensures that any investigation will include a thorough review of the circumstances under which the alleged discrimination occurred and the treatment of the Complainant as well as members of the Complainant's group as compared with the treatment of others not of the group within the organization.</b>
<b>3. <u>EEO Program:</u></b>	<b>3.3 <u>Efficient EEO</u></b>	<b>3.3.2 <u>Timely submit EEO</u></b>	<b>During FY 2005 the Office of Civil Rights requested 36 Counselor's</b>

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<b><u>Proactive Management and Legal Compliance:</u></b>  Provide a workplace free of unlawful discrimination and enhance the diversity of the workforce	<b><u>Complaint Process:</u></b>  Manage an effective complaint-processing	<b><u>Counselors' Reports and Timely Distribution of Reports of Investigation:</u></b>  Timely distribute Reports of Investigation	<b>Reports. Eighty percent of the Counselor Reports were submitted in a timely manner. (Within 15 business days).</b>  <b>Under the formal complaint processing procedures outlined in Management Directive 110 and 29 CFR 1614, all cases (100 percent) were distributed in a timely manner to the complainant. Formal cases are those in which the Complainant files a formal complaint after he or she has been issued a Notice of Right to File. The NRCS staff ensures that employment discrimination complaints are processed fairly, promptly, thoroughly, and in strict compliance with the Equal Employment Opportunity Commission guidance.</b>  <b>NRCS staff ensures that any investigation will include a thorough review of the circumstances under which the alleged discrimination occurred and the treatment of the Complainant as well as members of the Complainant's group as compared with the treatment of others not of the group with in the organization.</b>
<b>3. <u>EEO Program: Proactive Management and Legal Compliance:</u></b>  Provide a workplace free of unlawful discrimination and enhance the diversity of the workforce.	<b>3.3 <u>Efficient EEO Complaint Process:</u></b>  Manage an effective complaint-processing	<b>3.3.3 <u>Efficient Use of ADR for EEO and Disputes:</u></b>  <ul style="list-style-type: none"> <li>• Made good faith effort to resolve EEO complaints, and workplace disputes at all times, especially early in the process.</li> </ul>	<b>In FY 2005, Sixty-eight (68) Informal Complaints were filed. Good faith efforts were made repeatedly to resolve the EEO complaints throughout the Informal and Formal process. One hundred percent of complainants at the Informal Complaints stage were offered ADR. Twenty-four (24) Informal Complaints selected ADR. Seven Informal Complaints were settled through ADR settlement agreements.</b>  <b>The NRCS Alternative Dispute Resolution (ADR) staff mediates early resolution disputes, informal, formal EEO complaints and</b>

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		<ul style="list-style-type: none"> <li>• Offer ADR to complainants as required by USDA to resolve EEO complaints, and effectively provide ADR services where offers are accepted.</li> </ul>	<p><b>grievances. The resolution rate for early intervention and grievance issues have increased by 20%.</b></p> <p><b>The ADR Program received 25 % more referrals to mediate informal and formal EEO complaints from Fiscal Year (FY) 2004, resulting in a higher resolution rate.</b></p> <p><b>The ADR Program workplace dispute consultations (during the first 3 quarters of FY 2005) have increased significantly by 35%.</b></p> <p><b>All NRCS employees are provided the option to participate in an alternative dispute resolution process such as mediation.</b></p> <p><b>NRCS employees continue to be contacted by the ADR office within 2 days of receiving a signed election form from the NRCS Civil Rights Office.</b></p> <p><b>From October 1, 2004 to the present, approximately 32 informal EEO complaints were referred to ADR for mediation.</b></p> <p><b>ADR has also been useful in resolving formal complaints. During FY 2005, approximately 5 Formal EEO complaints were resolved utilizing mediation.</b></p>

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			<p><b>ADR has been instrumental in addressing program disputes. During FY 2005, 8 cases were referred to mediation.</b></p> <p><b>NRCS ADR published its third quarterly newsletter to NRCS employees. The ADR newsletter provides information on mediation; how to utilize the ADR program; ADR within the EEO and grievance process; and future training sessions.</b></p> <p><b>The NRCS ADR website is frequently updated and is in compliance for individuals with disabilities.</b></p> <p><b>ADR posters and brochures continue to be disseminated to NRCS employees, customers and partners upon request.</b></p> <p><b>NRCS ADR continues to offer other forms of ADR to address conflict. From October 1, 2004 to the present, 12 group facilitations resolved workplace disputes. ADR also conducted 2 large group interventions to address workplace conflict.</b></p>
<p><b>3. <u>EEO Program: Proactive Management and Legal Compliance:</u></b></p> <p>Provide a workplace free of unlawful</p>	<p><b>3.3 <u>Efficient EEO Complaint Process:</u></b></p> <p>Manage an effective complaint-processing</p>	<p><b>3.3.4 <u>Analyze and Monitor Complaints, Corrective Actions, Settlement Agreements:</u></b></p> <ul style="list-style-type: none"> <li>• Respond timely to requests for information</li> </ul>	<p><b>Nine Settlement Agreements were implemented at the Informal Stage. Sixty-six percent (6) were implemented within 30 days or less of the signing of the Agreements. Eleven Settlement Agreements were implemented at the Formal Stage. Twenty-seven percent (3) were implemented within 30 days.</b></p>

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Goal	Performance Objective	Indicators	Outcomes/Scoring
discrimination and enhance the diversity of the workforce.		<p>from EEO Counselors, Investigators, and Adjudicators.</p> <ul style="list-style-type: none"> <li>• When applicable, Agency promptly implements terms of Settlement Agreements.</li> </ul>	
<p><b>4 <u>Procurement.</u></b>            Ensure equal opportunity for minority, women-owned, small and disadvantaged service disabled veterans, American Indian/Alaska Natives, and people with disabilities (Javis, Wagner, O'Day Act (JWOD) in all USDA contracting activities..</p>	<p><b>4.1 <u>Procurement Goals:</u></b>            Take affirmative steps to increase procurement with businesses owned and operated by women, minorities, service disabled veterans, small and disadvantaged businesses, American Indian/Alaska Natives, and JWOD facilities.</p>	<p><b>4.1.1 <u>Accomplishments of Goals:</u></b>            Develop and implement effective strategies for improving participation by women, minorities, service disabled veterans, small and disadvantaged businesses, American Indians/Alaska Natives, JWOD facilities, and for accomplishing all goals.</p>	<p><b>NRCS has established a small business Procurement Outreach Plan which outlines objectives and strategies for enhancing the small business program. The plan is distributed to all small business coordinators within NRCS.</b></p> <p><b>Contracting officers are continuously encouraged to utilize small business concerns whenever possible. In addition, they provide instructions to the Local Agency Program Coordinators for the Purchase Card Management System to train cardholders on Small Business Program policies, regulations, and procedures.</b></p> <p><b>Training ensures that cardholders and contracting officers are aware of the impact of Federal procurement on small business concerns.</b></p> <p><b>NRCS attends monthly vendor outreach meetings to facilitate small business vendors access to procurement personnel within NRCS.</b></p>

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Goal	Performance Objective	Indicators	Outcomes/Scoring
			<p>Agency small business representatives attended various small business conferences in Florida, Michigan, North Carolina and Texas. Five NRCS employees were recognized in June 2005, by USDA for their significant efforts in promoting JWOD and small business utilization within NRCS. Four small businesses were nominated by NRCS, and received recognition from USDA, for Contractor of the Year in their respective small business categories.</p> <p>Barriers to awarding contracts to minorities, woman-owned, and small disadvantaged businesses include:</p> <ul style="list-style-type: none"> <li>• Businesses do not always employ experienced personnel for their staff and must continuously recruit skilled personnel in order to perform the work of the contract;</li> <li>• Businesses must be in a position to obtain bonding; and</li> <li>• Contractors may lack the skills to market themselves to other government agencies. NRCS has designed training to enhance their skills in obtaining and retaining an experienced staff and understanding good business practices.</li> </ul> <p>The 2002 Farm Bill expanded the availability of technical assistance to producers by encouraging the use of third parties—called technical service providers—to assist USDA in delivering conservation technical services to farmers and ranchers.</p> <p>NRCS recognizes barriers for procuring with Service Disabled Veteran Owned Small Businesses (SDVOSBs). The NRCS Small</p>

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			<p><b>Business Coordinator is currently researching ways to overcome these barriers in locating SDVOSBs in areas that NRCS procures heavily. This effort will facilitate in meeting our three percent goal through year-end procurement activities.</b></p> <p><b>Javits-Wagner-O'Day Act (JWOD) figures will be reflected in the JWOD Performance Plan for NRCS.</b></p>

Historically, NRCS performs a high volume of contracting activities in the fourth quarter, July 1, 2005 through September 30, 2005. Those figures cannot be reflected at this time. The following chart depicts the total NRCS procurements for FY 2005 to date (07-18-2005).\*

	SBA Mandated Goal	NRCS FY 2005 Goal	NRCS FY 2005-to-date Achievement	Dollars Obligated to date
<b>Small Business Concerns</b>	<b>23%</b>	<b>70%</b>	<b>63.81%</b>	<b>\$28,842,866</b>
<b>8(a) Concerns</b>	<b>5%</b>	<b>5%</b>	<b>10.52%</b>	<b>4,753,706</b>
<b>Small Disadvantaged Business Concerns (other than 8(a))</b>	<b>5%</b>	<b>10%</b>	<b>12.39%</b>	<b>5,601,726</b>
<b>Women-Owned Small Business Concerns</b>	<b>5%</b>	<b>5%</b>	<b>7.67%</b>	<b>3,464,767</b>
<b>HUBZone Small Business</b>	<b>3%</b>	<b>3%</b>	<b>15.70%</b>	<b>7,097,670</b>
<b>Service-Disabled Veteran Small Business</b>	<b>3%</b>	<b>3%</b>	<b>.31%</b>	<b>140,841</b>
<b>Veteran Owned Small Business</b>	<b>0%</b>	<b>0%</b>	<b>19.77%</b>	<b>8,937,318</b>

<b>Small Business Set Asides</b>	<b>0%</b>	<b>0%</b>	<b>3.76%</b>	<b>1,700,343</b>
<b>Other SDB Contractors</b>	<b>0%</b>	<b>0%</b>	<b>1.87%</b>	<b>848,020</b>
<b>Very Small Business Concerns</b>	<b>0%</b>	<b>0%</b>	<b>.04%</b>	<b>17,733</b>

**To date NRCS has spent \$45,202,860. \$28,842,866, or 63.808%, of which has been spent with small business concerns.**